
Z-2456
KENNETH BALDWIN
NB to GB

STAFF REPORT
June 9, 2011

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is also the property owner, is requesting rezoning of a tract of land slightly less than 1 acre in area, located on the north side of Sagamore Parkway, just east of CR 250 W, more specifically 2312 US 52 W, Wabash 2 (NE) 23-5. Petitioner has no immediate plans for the property.

ZONING HISTORY AND AREA ZONING PATTERNS:

The site is zoned NB as is adjacent land to the northwest; other adjacent properties are zoned GB except across US 52 which is zoned R1B and R2. Many different zoning districts exist in the vicinity of this request including Agricultural, General Business, Neighborhood Business, R1B, R2 and R3. Flood Plain associated with the Cuppy/McClure drainage ditch is just to the northeast.

The larger NB-zoned area at the northeast corner of 52 and 250 W is a remnant of the original 1965 zoning map. That map showed LB zoning (the old Local Business zone which in 1998 became NB) for a solid mile along the north side of US 52. Over the years there have been several rezone requests along the frontage, practically all of them from LB (or more recently, NB) to GB, General Business. This includes Z-1616 in 1995 for a proposed used car lot, Z-1833 in 1999 for a proposed Meijer, Z-1863 in 1999 and Z-2026 in 2001 for the land where the Paramount-Lakeshore commercial development is located. Most recently, the property adjacent to the west was rezoned from NB to GB by the County Commissioners on June 6th (Z-2455).

AREA LAND USE PATTERNS:

Surrounding land uses are even more varied than the surrounding mix of zoning districts would indicate. Currently on site is a nonconforming single-family residence. To the east is Barrington West Apartments. Adjacent to the north is US 52 Mobile Home Estates and several mobile homes. To the west is a small commercial building and Maples Mobile Home Park. Across the highway to the south, land uses are mostly residential including single-family homes within subdivisions, on unplatted land, and several multi-family developments.

Meijer still owns the GB-zoned land at the northwest corner of CR 250 W and US 52 with a relatively new Menards store farther west. GB-zoned land to the east includes some unimproved property and a couple of commercial strip centers.

TRAFFIC AND TRANSPORTATION:

US 52 is a 4-lane divided highway classified as a primary arterial by the County *Thoroughfare Plan*. Construction has begun on the new US 231, which will intersect with US 52 just west of CR 250 W (taking the church located on the southwest corner) when this stage of the project is completed.

On site there is an existing driveway from US 52 that appears to be shared with the commercial building to the west. Any change of use on this site requires a new access permit from INDOT. The recently completed US 52 Corridor Study calls for driveway consolidation in this area. The highway itself is capable of handling any traffic generated by a commercial use on this one acre tract.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

According to the County Health Department, the site is served by an individual septic system and well; however Indiana American Water and American Suburban sewer utilities serve the surrounding properties and could easily serve this site as well.

STAFF COMMENTS:

The current zoning pattern surrounding the site in question does not reflect the existing land uses in the vicinity. This site is used residentially, yet zoned NB; the apartments to the east of the house are zoned GB, and a large portion of the two mobile home parks wrapped around this site, are zoned NB. These uses are all nonconforming in those zones; however it is more likely that the existing commercial zoning will remain as is and that the mobile home parks and single-family residence will eventually change their uses from residential to commercial.

The intent of the Neighborhood Business district is “to provide areas for retail and service establishments appropriate to the needs of nearby residents.” Because of its location on a four-lane divided highway, soon to be close to a major intersection, this property would be better utilized with a business supported by a broader customer base than only the neighborhood’s “nearby residents” as the intent of the NB zone states.

STAFF RECOMMENDATION:

Approval